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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/695,089	10/25/2000	Takeshi Maeda	500.37445CX1	2432

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EXAMINER

CHU, KIM KWOK

ART UNIT

PAPER NUMBER

2653

DATE MAILED: 04/10/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/695,089

Applicant(s)

MAEDA ET AL.

Examiner

Kim-Kwok CHU

Art Unit

2653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on Amendment filed on 1/29/02.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 6-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**Claim Objections**

1. Claim 8 is objected to because of the following informalities:

(a) in claim 8, last line, the label "Tw" needs to be defined

Appropriate correction is required.

**Claim Rejections - 35 USC § 102**

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --  
(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by applicant for patent*

3. Claims 6 and 9-16 are rejected under 35 U.S.C. § 102(e) as being anticipated by Fuji (U.S. Patent 6,310,846).

Fuji teaches a recording medium having as all of the elements and means as recited in claims 6 and 9-16. For example, Fuji teaches the following:

- (a) as in claim 6, a disk-like substrate 40 (Fig. 4);
- (b) as in claim 6, at least one track being provided on the substrate (Fig. 6a1);

(c) as in claim 6, a zone including at least one track (Fig. 8; a recording zone/area is an inherent feature of the recording medium 1);

(d) as in claim 6, the zone stores a lookup table 57 (Fig. 2; column 4, lines 28-33);

(e) as in claim 6, the look-up table 57 having information about edge shifting of at least one of a leading and trailing edge of at least one recording pulse (Fig. 2; the pattern 57 contains information about long marks and short marks which include their edges shifting/varying positions where the marks are not equally spaced);

(f) as in claim 9, the lookup table 57 includes information about edge shifting of a leading edge of a first recording pulse and a trailing edge of a last recording pulse of a plurality of recording pulses (Fig. 2; the pattern 57 contains information about a pulse's edge and its different locations where the pulses are not equally spaced);

(g) as in claim 10, the lookup table 57 includes information about edge shifting of a leading and trailing edge of a first recording pulse and a trailing edge of a last recording pulse of a plurality of recording pulses (Fig. 2; the pattern 57 contains information about a pulse's edge and its different locations where the pulses are not equally spaced);

(h) as in claim 11, the lookup table 57 includes information about edge shifting of a leading edge of a first recording pulse and a leading and trailing edge of a last recording pulse of a plurality of recording pulses (Fig. 2; the pattern 57 contains information about a pulse's edge and its different locations where the pulses are not equally spaced);

(i) as in claim 12, the lookup table 57 includes information about edge shifting of a leading and trailing edge of each of first and a last recording pulse of a plurality of recording pulses (Fig. 2; the pattern 57 contains information about a pulse's edge and its different locations where the pulses are not equally spaced);

(j) as in claim 13, the lookup table 57 includes information about edge shifting of a leading edge of a first recording pulse of a plurality of recording pulses (Fig. 2; the pattern 57 contains information about a pulse's edge and its different locations where the pulses are not equally spaced);

(k) as in claim 14, the lookup table 57 includes information about edge shifting of a leading and trailing edge of a first recording pulse of a plurality of recording pulses (Fig. 2; the pattern 57 contains information about a pulse's edge and its different locations where the pulses are not equally spaced);

(l) as in claim 15, the lookup table includes information about edge shifting of a trailing edge of a last recording pulse

of a plurality of recording pulses (Fig. 2; the pattern 57 contains information about a pulse's edge and its different locations where the pulses are not equally spaced); and

(m) as in claim 16, the lookup table includes information about edge shifting of a leading and trailing edge of a last recording pulse of a plurality of recording pulses (Fig. 2; the pattern 57 contains information about a pulse's edge and its different locations where the pulses are not equally spaced).

#### ***Allowable Subject Matter***

5. Claims 7 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is an Examiner's statement of reasons for the indication of allowable subject matter:

As in claim 7, the prior art of record fails to teach or fairly suggest a recording medium having a lookup table includes a list of values which are determined by combinations of a length  $M(n)$  of a mark being currently written and at least one of a length  $s(n-1)$  of a space precedent to the mark and a length  $s(n+1)$  of a space subsequent to the mark, and which can be positive and negative.

As in claim 8, the prior art of record fails to teach or fairly suggest a recording medium having a lookup table includes information about edge shifting of at least one of a leading and trailing edge of one recording pulse for recording a mark 3Tw long.

5. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks Washington, D.C.  
20231 Or faxed to:

(703) 872-9314 (for formal communications intended for entry. Or:

(703) 746-6909, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

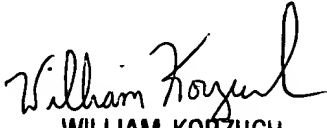
Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim CHU whose telephone number is (703) 305-3032 between 9:30 am to 6:00 pm, Monday to Friday.

kc 4/4/02

Kim-Kwok CHU  
Examiner AU2653  
April 4, 2002

(703) 305-3032

  
WILLIAM KORZUCH  
SUPERVISORY PATENT EXAMINER  
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